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Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW SMITH,

Defendant.

Case No. 2:20-mj-00123-DJA

**FOURTH STIPULATION TO
CONTINUE PRELIMINARY
HEARING**

The parties jointly request that this Court vacate the preliminary hearing scheduled for July 6, 2020, and continue it until at least September 4, 2020 because:

1. Mr. Smith has signed a plea agreement and waiver of indictment. A change of plea hearing has been set for August 28, 2020 before Judge James C. Mahan.
2. Denial of this continuance would prejudice the defense and the government and would unnecessarily consume this Court's valuable resources.
3. Mr. Smith is in custody and agrees to the continuance.
4. Mr. Smith also consents to extending the time within which a preliminary hearing must be held under Federal Rule of Criminal Procedure 5.1(c) and the time within which an indictment must be filed under 18 U.S.C.

§ 3161(h)(7)(A), when considering the factors under 18 U.S.C. §
3161(h)(7)(B).

DATED: July 1, 2020.

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Travis Leverett
By _____
Travis Leverett
Assistant United States Attorney

RENE L. VALLADARES
Federal Public Defender

/s/ Erin Gettel
By _____
Erin Gettel
Assistant Federal Public Defender

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW SMITH,

Defendant.

Case No. 2:20-mj-00123-DJA

**ORDER GRANTING FOURTH
STIPULATION TO CONTINUE
PRELIMINARY HEARING**

Based on the stipulation of counsel, the Court finds that good cause exists to continue the preliminary hearing currently scheduled for July 6, 2020. The additional time is to accommodate the change of plea and waiver of indictment hearing that is currently set for August 28, 2020 before Judge James C. Mahan and not for purposes of delay. Mr. Smith is in custody and agrees to the continuance, and he consents to extending the time within which a preliminary hearing must be held under Federal Rule of Criminal Procedure 5.1(c) and the time within which an indictment must be filed under 18 U.S.C. § 3161. Accordingly,

IT IS HEREBY ORDERED that the preliminary hearing currently scheduled for July 6, 2020, at 4:00 p.m. is VACATED and RESET to September 18, 2020 at 4:00 p.m.

DATED this 2nd day of July, 2020.



HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE